

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CHUBB & SON INC., et al.,
Plaintiffs,

- against -

MICHAEL J. KELLEHER, et al.,
Defendants.
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CHUBB & SON INC., et al.,
Plaintiffs,

- against -

JAMES KELLEHER, et al.,
Defendants.
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AMON, UNITED STATES DISTRICT JUDGE

NOT FOR PUBLICATION
MEMORANDUM AND ORDER

92 CV 4484 (CBA)

95 CV 0951 (CBA)

Before the Court is a Report and Recommendation (“R&R”) issued by the Honorable Robert M. Levy, United States Magistrate Judge, recommending that the plaintiffs be awarded compensatory damages against defaulting defendants Rich & Simon in the amount of \$1,012,373.27, plus prejudgment interest. Magistrate Judge Levy also recommended that this judgment amount be offset by any monies already received by the plaintiffs for the same claims. Magistrate Judge Levy issued this R&R on December 7, 2001 and no objections have been filed. Unfortunately, however, this chambers never received a copy of that R&R, such that the R&R was never adopted. In a letter dated April 12, 2007, the plaintiffs brought the outstanding R&R to the Court’s attention and enclosed a copy of the R&R.

The Court has reviewed the R&R and hereby adopts it as the opinion of the Court. In accordance with the R&R, the plaintiffs are directed to provide the Court with an accounting of monies already received relating to the claims of January 4, 1989, February 17, 1989 and December 27, 1989, after which judgment may be entered in the amount of \$1,012,373.27, plus

prejudgment interest, less those monies already received.

SO ORDERED.

Dated: Brooklyn, New York

August ____, 2007

Carol Bagley Amon
United States District Judge